

REMARKS / ARGUMENTS

Claims 21, 27-33, 36 and 40-44 will be pending in this application upon entry of this amendment. Applicants believe that no additional fees for additional claims are due.

Amended claim 21 is supported by previous claims 21, 23 and 34. New claim 44 is supported by previous claims 25 and 26. The other claim amendments are supported by the disclosure and original claims.

Claims 35 and 37-40 were rejected under 35 USC 112, first paragraph. Applicants request reconsideration and withdrawal of this rejection for the reasons that follow.

The present specification discloses that the claimed compounds possess activity as inhibitors of several tyrosine kinases. It is well known that tyrosine kinases are involved in cell proliferation and that inhibition of tyrosine kinases can slow cell proliferation. Thus, it is reasonable to expect that such compounds could be used to treat patients suffering from diseases that result from uncontrolled cell proliferation. Accordingly, the present disclosure is enabling for the full scope of the claims.

In view of the discussion above, Applicants request reconsideration and withdrawal of the enablement rejection.

Claims 21-26 and 34-41 were rejected under 35 USC 112, second paragraph. Applicants believe that the claims have been amended to overcome all of the issues pointed out by the Examiner. Accordingly, withdrawal of this rejection is requested.

Claims 21 and 34-40 were rejected under 35 usc 102(e) as anticipated by Flynn et al. The Examiner points to the compound of Example 20 in Flynn et al as an anticipatory compound. However, since present claim 21 is limited to compounds where A is a piperazinyl group of formula A', the reference does not teach compounds within the scope of present claims. Accordingly, withdrawal of this rejection is requested.

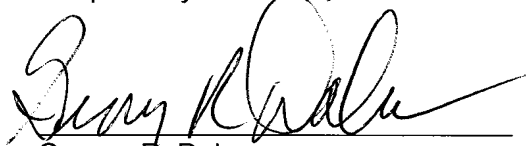
Claims 21-24, 27-29, 31 and 33-41 were rejected under 35 USC 103(a) over Zimmermann. Applicants request reconsideration and withdrawal of this rejection for the reasons that follow.

Present claim 21 requires the A substituent to be piperazinyl which is substituted on a ring carbon by an oxo group. Applicants believe that the present A substituent corresponds most closely to Zimmerman's R₁₀ when it is phenyl that is para-substituted by 4-methyl-piperazinylmethyl. The difference is that present A substituent must be substituted on a ring carbon by an oxo group. Since the Examiner does not point to any disclosure in Zimmerman which would suggest to the skilled artisan that such a change should be made, Applicants assert that present claim 21 is not suggested by the disclosure of Zimmerman. Accordingly, the rejection of claim 21 under 35 USC 103(a) over Zimmerman should be withdrawn.

With respect to claim 27, Zimmerman indicates that pyridyl can be substituted by oxygen to form the N-oxide. However, the failure of the reference to disclose a single species of pyridyl N-oxide actually teaches away from the presently claimed N-oxides. Accordingly, the rejection of present claim 27 under 35 USC 103(a) over Zimmerman should be withdrawn.

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Respectfully submitted,



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